



The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.") It is accordingly

**ORDERED** that the Report of the Magistrate Judge (Docket No. 25) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that the Defendants' partial motion to dismiss (Docket No. 11) is **GRANTED**. The Plaintiff's claims against Major Sisson, the claims for retaliation and harassment against the Defendants Smith, Richardson, Franchiseur, Bates, Shaw, and Berg, and the claim of a conspiracy to cover up the use of force against the Defendants Smith, Richardson, Bates, Sisson, Franchiseur, and Estrada are **DISMISSED WITH PREJUDICE**. The Defendants Major Sisson and Lt. Estrada are **DISMISSED** as parties to the lawsuit. Any claims for monetary damages against the Defendants in their official capacities are **DISMISSED WITH PREJUDICE**. The dismissal of these claims and Defendants shall no effect upon the remaining claims and defendants in the case.

**SIGNED this 7th day of September, 2021.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE